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EXAMINER	
AGGARWAL, YOGESH K	

ART UNIT	PAPER NUMBER
2615	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/833,649	OKAMOTO, SATOSHI	
	Examiner	Art Unit	
	Yogesh K Aggarwal	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-62* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-62* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 12/08/2004 have been fully considered but they are not persuasive.

Examiner's response:

2. Applicant argues w.r.t. amended claims 1 and 30 (Amendment, pp 20 and 21, paragraphs 4 and 1) that Tamura, the primary reference, is directed towards leaving the main image data as it is in the memory after a transfer. Tamura is not at all concerned with changing the form of the main image data, i.e., transforming the data to thumbnails. Nor is Tamura concerned with keeping a different form of the main image data after a deletion step. Tamura merely discloses keeping the main image data as it is after a transfer step. Nothing in Tamura teaches what happens to the data after a deletion step, i.e., keeping a reduced form of the data after a deletion step as set forth in amended claims 1 and 30. The Examiner respectfully disagrees. Tamura discloses in Paragraph 19 lines 8-12, erasing the image data from the memory after transferring the main image data. Therefore lines 8-12 read on the claimed limitation "an information processing device that deletes the main image data stored in the storage medium after the communication device transmits the main image data". Tamura further discloses in paragraph 19 lines 12-14 that if a trouble is caused main image data is left as it is in the memory after the transfer so it can be recovered. However Tamura does not teach that this main image data that is left as it is in the memory after the image is transferred can be a reduced form of the main image data after the main image is deleted. Scott, the secondary reference, teaches storing compressed images in order to minimize the storage requirements because the memory is normally at premium (col. 16 lines 26-35). Therefore taking the combined teachings of Tamura and Scott,

Tamura would have stored compressed images of the main images instead of main images after the main images are deleted as taught in Scott in order to minimize the storage requirements because the memory is normally at premium. Hence the claimed limitation "and that keeps reduced image data of the main image data stored in the storage medium after the main image data is deleted" is taught in combination of both references.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-6, 14, 30-34, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687).

[Claim 1]

An image data transmitting device (figure 1), comprising: a communication device (figure 1, element 5) that transmits main image data stored in a storage medium to an external apparatus (Paragraph 14, page 9); and an information processing device (6) that deletes the main image data stored in the storage medium (4) after the communication device transmits the main image data, and that keeps the main image data in the storage medium (Paragraphs 19-21, specifically Paragraph 19 lines 8-12).

Tamura teaches transmitting main image data and storing main images in the memory after the main images are transmitted (Paragraph 19, lines 12-14) but fails to teach specifically

that the stored image data can be reduced image data instead of the main image data after the main image data is deleted.

However Scott et al. teaches that thumbnail images are stored instead of main images (small images) by compressing thumbnail images further in order to minimize the storage requirements because the memory is normally at premium (col. 16 lines 26-35). Therefore taking the combined teachings of Tamura and Scott it would have been obvious to one skilled in the art at the time of the invention to have been motivated to store compressed images of the main images instead of main images after the main image is deleted as taught in Tamura in order to minimize the storage requirements because the memory is normally at premium.

[Claim 2]

Tamura teaches a first setting device (figure 3, element 12) with which a user sets erasure of the main image data stored in the storage medium, wherein the information processing device deletes the main image data after the communication device transmits the main image data to the external apparatus only if the user sets the erasure of the main image data (Paragraph 19).

[Claim 3]

Tamura teaches a second setting device (figure 1, element 10) with which the user sets the external apparatus (Paragraph 17).

[Claim 4]

Tamura teaches wherein the communication device automatically transmits the main image data to the external apparatus when the communication device becomes able to communicate with the external apparatus (Paragraph 17).

[Claim 5]

Tamura teaches wherein the information processing device adds an indicator indicating that the main image data has been transmitted to a file name of a file of the main image data transmitted (Paragraph 23)

[Claim 6]

Tamura teaches wherein the information-processing device adds information that the main image data has been transmitted to attached information of a file of the main image data transmitted (Paragraph 23).

[Claim 14]

Tamura teaches an imaging device (figure 1, element 1) that captures the main image data, wherein the main image data is stored in the storage medium (Paragraph 14).

[Claims 30-34, 38]

These are method claims corresponding to apparatus claims 1-6 respectively. Therefore they have been analyzed and rejected based upon apparatus claims 1-6.

5. Claims 7-11, 35-37, 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and in further view of Tomat et al. (US Patent # 6,784,925).

[Claims 7, 10 and 11]

Tamura in view of Scott teaches the limitations of claim 1 but fails to teach "further comprising a first displaying device that displays a reduced image with at least one of information that the main image data has been transmitted, and information indicating the external apparatus and an information processing device that adds the information that the main image data has been transmitted, and information indicating the external apparatus". However

Tomat et al. teaches that a displaying device (figure 22, element 190) that displays thumbnail images (192) along with information like an acquired icon 224 (figure 24) which indicates the type of the device from where the information can be downloaded and that the main image (col. 15 lines 66-67, col. 16 lines 1-10) and numeral 212 (figure 23) that indicates that indicates which photogroup the picture belongs to. In other words, whether the main image has been transmitted from the camera or any other external device. The PC or camera inherently have a CPU which adds the icons (224 and 212) associated with the thumbnail images 192. Therefore taking the combined teachings of Tamura, Scott and Tomat et al., it would have been obvious to one skilled in the art at the time of the invention to have a first displaying device that displays a reduced image with at least one of information that the main image data has been transmitted, and information indicating the external apparatus and an information processing device that adds the information that the main image data has been transmitted, and information indicating the external apparatus. The benefit of doing so would be so that the user can easily verify the source of the images and auto-correct the images by looking at the icons associated with the thumbnail images.

[Claim 8]

Tamura in view of Scott teaches the limitations of claim 1 but fails to teach "a third setting device with which the user sets reception of the main image data according to the reduced image data stored in the storage medium, wherein the communication device receives the main image data from the external apparatus and stores the main image data in the storage medium". However Tomat et al. teaches that a displaying device (figure 22, element 190) that displays thumbnail images (in area 192) that is selected and will cause a full-resolution image associated

with it to be copied to the storage device (col. 16 lines 11-20) after downloading from the digital camera in order to view the main image corresponding to the thumbnail image. Therefore taking the combined teachings of Tamura, Scott and Tomat et al., it would have been obvious to one skilled in the art at the time of the invention to have a first displaying device that displays a reduced image and a setting device with which the user sets reception of the main image data according to the reduced image data stored in the storage medium, wherein the communication device receives the main image data from the external apparatus and stores the main image data in the storage medium. The benefit of doing so would be so that the user can easily manipulate images and view them based on the thumbnail images.

[Claim 9]

Tomat teaches that after the full resolution file is moved to a storage device (along with associated information) the corresponding photogroup is deleted from the camera so that the CPU replaces the previous information that the main image has been transmitted (col. 16 lines 11-27).

[Claims 35-37]

These are method claims corresponding to apparatus claims 7-9 respectively. Therefore they have been analyzed and rejected based upon apparatus claims 7-9.

[Claims 39-43]

These are method claims corresponding to apparatus claims 7-11 respectively. Therefore they have been analyzed and rejected based upon apparatus claims 7-11.

6. Claims 12, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and in further view of Allen et al. (US Patent # 5,737,491).

[Claim 12]

Tamura in view of Scott teaches the limitations of claim 1 but fails to teach "a fourth setting device with which the user sets transmission of the main image data stored in the storage medium to the external apparatus, wherein the information processing device produces a transmission information file that shows information set with the fourth setting device, and the communication device transmits the main image data stored in the storage medium to the external apparatus according to the information shown in the transmission information file". However Allen et al. teaches an image file being appended to the digitized voice command header and transmitted to the image fulfillment server where it is compared and decoded based on the appended voice file (col. 5 lines 6-17) in order to decode the image file. Therefore taking the combined teachings of Tamura, Scott and Allen, it would have been obvious to one skilled in the art at the time of the invention to have been motivated to have a device with which the user sets transmission of the main image data stored in the storage medium to the external apparatus, wherein the information processing device produces a transmission information file that shows information set with the setting device, and the communication device transmits the main image data stored in the storage medium to the external apparatus according to the information shown in the transmission information file. The benefit of doing so would be to have the image file decoded by the external apparatus according to the transmission file generated by the transmission device.

[Claim 44]

This is a method claim corresponding to apparatus claim 12. Therefore they have been analyzed and rejected based upon apparatus claim 12.

7. Claims 13, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and in further view of Oie (US Patent # 6,188,431).

[Claim 13]

Tamura in view of Scott teaches the limitations of claim 1 but fails to teach "a second displaying device that displays a message that the main image data is being transmitted while the communication device is transmitting the main image data to the external apparatus". However Oie teaches that during image transmission the message "WAIT" indicating that the image data is currently being transferred appears on the LCD (col. 6 lines 25-36) in order to inform the user that the file is being transmitted. Therefore taking the combined teachings of Tamura, Scott and Oie, it would have been obvious to one skilled in the art at the time of the invention to have been motivated to have a second displaying device that displays a message that the main image data is being transmitted while the communication device is transmitting the main image data to the external apparatus. The benefit of doing so would be so that the user can know if the file has been transmitted successfully.

[Claim 45]

This is a method claim corresponding to apparatus claim 13. Therefore they have been analyzed and rejected based upon apparatus claim 13.

8. Claims 15-21, 29, 46-51, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and in further view of Niikawa et al. (US PG-PUB # 2002/0101440).

[Claims 15 and 16]

Tamura in view of Scott teaches the limitations of claim 1 but fails to teach "wherein the reduced image data is produced simultaneously with production and deletion of main image data". However Niikawa teaches the generation of thumbnail image data and main image data in a single file, which must be generated or deleted simultaneously in order to conform to the EXIF standard (Paragraph 41 and figure 3). Therefore taking the combined teachings of Tamura, Scott and Niikawa, it would have been obvious to one skilled in the art at the time of the invention to have the reduced image data be produced simultaneously with production of main image data in order to conform with EXIF standard. The benefit of doing so would be to store both the low-resolution and high-resolution data together in an EXIF file format.

[Claims 17-21, 29]

These claims are similar to claims 2-6, 14. Therefore they have been analyzed and rejected based upon claims 2-6, 14.

[Claims 46-51]

These are method claims corresponding to apparatus claims 15-20 respectively. Therefore they have been analyzed and rejected based upon apparatus claims 15-20.

[Claim 55]

This claim is similar to claim 38. Therefore it has been analyzed and rejected based upon claim 38.

9. Claims 22-26, 52-54, 56-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and Niikawa et al. (US PG-PUB # 2002/0101440) and in further view of Tomat et al. (US Patent # 6,784,925).

[Claims 22-26]

These claims are similar to claims 7-11. Therefore they have been analyzed and rejected based upon claims 7-11.

[Claims 52-54]

These are method claims corresponding to apparatus claims 22-24 respectively. Therefore they have been analyzed and rejected based upon apparatus claims 22-24.

[Claims 56-60]

These claims are similar to claims 39-43. Therefore they have been analyzed and rejected based upon claims 39-43.

10. Claims 27, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and Niikawa et al. (US PG-PUB # 2002/0101440) and in further view of Allen et al. (US Patent # 5,737,491).

[Claim 27]

This claim is similar to claim 12. Therefore it has been analyzed and rejected based upon claim 12.

[Claim 61]

This claim is similar to claim 44. Therefore it has been analyzed and rejected based upon claim 44.

11. Claims 28, 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 09-37125) in view of Scott et al. (US Patent # 6,545,687) and Niikawa et al. (US PG-PUB # 2002/0101440) and in further view of Oie (US Patent # 6,784,925).

[Claim 28]

This claim is similar to claim 13. Therefore it has been analyzed and rejected based upon claim 13.

[Claim 62]

This claim is similar to claim 45. Therefore it has been analyzed and rejected based upon claim 45.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (571) 272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA
April 13, 2005

TUAN HO
PRIMARY EXAMINER